

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CAPITAL BEVERAGE CORPORATION,

Plaintiff,

v.

OAK BEVERAGES, INC.; VICTORIA  
BEVERAGE, INC.; and DEALY &  
SILBERSTEIN, LLP (solely in its capacity as  
Escrow Agent),

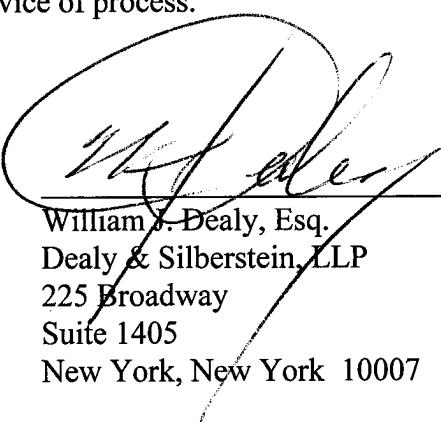
Defendants.

Civ. No. 07 CIV 6063

ACKNOWLEDGEMENT  
OF SERVICE

The undersigned, acting as Escrow Agent and counsel for Dealy & Silberstein,  
LLP, named solely in the above-referenced action in its capacity as the parties' Escrow Agent,  
states that he is duly authorized to accept service of the Summons and Complaint on behalf of  
Dealy & Silberstein, LLP as the Escrow Agent. That the undersigned does hereby acknowledges  
proper service of the Summons and Complaint without waiving any other defense available to  
Dealy & Silberstein, LLP except as to service of process.

Dated: June 28 2007

  
William J. Dealy, Esq.  
Dealy & Silberstein, LLP  
225 Broadway  
Suite 1405  
New York, New York 10007